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Attorneys for United States Guaranty Company

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE**

UNITED STATES OF AMERICA for the use of NORTH
STAR TERMINAL & STEVEDORE COMPANY, d/b/a
NORTHERN STEVEDORING & HANDLING, and NORTH
STAR TERMINAL & STEVEDORE COMPANY, d/b/a
NORTHERN STEVEDORING & HANDLING, on its own
behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of SHORESIDE
PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE,
and SHORESIDE PETROLEUM, INC., d/b/a MARATHON
FUEL SERVICE, on its own behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER ROCK
PRODUCTS, INC.; UNITED STATES FIDELITY AND
GUARANTY COMPANY; and ROBERT A. LAPORE,

Defendants.

No. 3:98-cv-9 (TMB)

AFFIDAVIT OF COUNSEL

BAROKAS MARTIN & TOMLINSON
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STATE OF ALASKA)
THIRD JUDICIAL DISTRICT) ss.

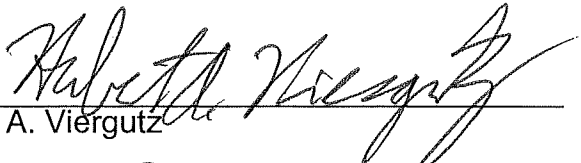
Herbert A. Viergutz, being first duly sworn upon oath, deposes and states as follows:

1. I am counsel of record for Defendant, USF&G, in the above captioned matter.
2. I filed the four Motions referenced in the instant Motion and Defendant's filed Oppositions on May 19, 2006. In the normal course, Replies would be due for filing on or before May 24, 2006.
3. In the event the Court does not grant USF&G's Motion to Strike Oppositions, an extension to file Replies is necessary. Plaintiff's Oppositions were not filed until subsequent to the close of business May 19, 2006, and did not see them until May 22, 2006. The undersigned will be in depositions in Case No. 3UN-05-37 Civil, May 24, 25 and 26. The evening of May 26, the undersigned departs for Togowoods Girl Scout Camp, and will not return until May 29. The undersigned will then have 3 days to devote to construction of Replies, i.e., May 30, 31 and June 1. As a result, the undersigned respectfully requests the Court to issue an Order providing that the Replies to the four referenced Motions be due to be filed on or before June 2, 2006.

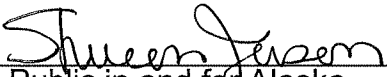
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FURTHER YOUR AFFIANT SAYETH NAUGHT.

Dated this 19 day of May, 2006.


Herbert A. Viergutz

SUBSCRIBED AND SWORN TO before me this 19 day of May, 2006.


Notary Public in and for Alaska
My Commission Expires: 11-17-06

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document was served by electronic notification on this 19th day of May, 2006, to:

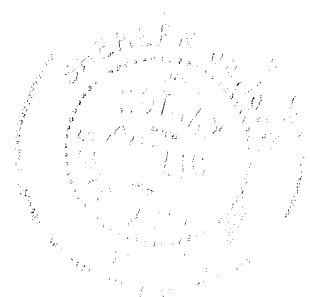
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s/ Herbert A. Viergutz



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